



Attorney's Docket No.: 13466-002011

3624
9/17/03
R#1
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas G. Woolston
Serial No. : 09/557,617
Filed : April 25, 2000
Title : CONSIGNMENT NODES

Art Unit : 3624
Examiner : Sandra S. Snapp

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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GROUP 3600

INFORMATION DISCLOSURE STATEMENT AND

NOTICE OF LITIGATION UNDER MPEP 2001.06(C)

Applicants call attention to the attached Information Disclosure Statement and documents listed on the attached form PTO-1449.

The examiner's attention is also drawn to documents A641-A667 which were filed in litigation between the assignee of the above-referenced application and eBay, Inc., in the case MercExchange L.L.C. v. eBay, Inc. et. al., Civil Action No. 2:01-CV-736, in the U.S. District Court for the Eastern District of Virginia, involving the assignee of the above-referenced application, and at least one patent that is a family member to the above-referenced application. Applicants make no representations herein regarding the materiality of the documents submitted herewith. Applicants are merely making these documents available to the Patent Office as a result of the contentions of the parties in the above-referenced litigation.

For the examiner's convenience, copies of the references listed on the attached form PTO-1449 are being provided on two compact discs filed herewith. Paper copies will be provided if requested by the examiner.

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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9/4/03

Nancy Grant

NANCY GRANT

Applicant : Thomas G. Woolston
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Page : 2 of 2

Attorney's Docket No.: 13466-002011


Consideration of the foregoing and enclosures plus the return of a copy of the enclosed form PTO-1449 with the Examiner's initials in the left column per MPEP 609 are earnestly solicited along with an early action on the merits.

This statement is being filed after a first Office action on the merits, but before receipt of a final Office action or a Notice of Allowance. A check for \$180 in payment of the late submission fee of §1.17(p) is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

9/4/03



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